



Paper No. 3

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OFFICE OF PETITIONS

In re Application of
Lenchner
Application No. 09/712,380
Filed: November 13, 2000
Attorney Docket No. YOR920000621US1

:
: DECISION GRANTING
: PETITION
:
:

This is a decision on the petition, filed on May 14, 2001, requesting that the above-identified application be accorded a filing date of November 13, 2000, rather than the presently accorded filing date of November 14, 2000.

The petition is **GRANTED**.

Petitioner requests an earlier filing date of November 13, 2000 on the basis that the application was deposited on that day in the U.S. Postal Service (USPS) "Express Mail" service pursuant to the requirements of 37 CFR 1.10. In support, the petition is accompanied by a copy of the "Express Mail" mailing label, Number EL659922010US.

This mailing label contains a "date-in" box indicating a November 13, 2000 date. In addition, the originally filed application also bears the number EL659922010US on the transmittal and a certificate of deposit that the application was being deposited with the USPS "Express Mail Post Office to Addressee" service on November 13, 2000.¹ The petition is thus granted. A corrected filing receipt is attached.

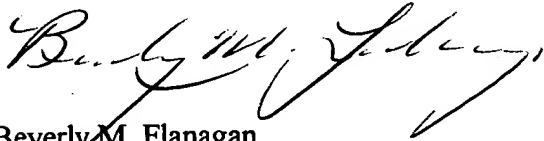
No petition fee is required. Thus, the \$130.00 petition fee will be refunded to Deposit Account No. 50-0510.

The application is being returned to Technology Center 2100 for examination in due course with a filing date of November 13, 2000.

¹ See 37 CFR 1.10(a) and 1.6(a)(2).

(Any correspondence received by the Office that was delivered by the "Express Mail Post Office to Addressee" service of the USPS will be considered filed in the Office on the date of deposit with the USPS. The date of deposit with the USPS is shown by the "date-in" on the "Express Mail" mailing label or other official USPS notation.)

Telephone inquiries concerning this matter may be directed to Petitions Attorney RC Tang at (703) 308-0763.



Beverly M. Flanagan
Supervisory Petitions Attorney
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Office of the Deputy Commissioner
for Patent Examination Policy

Attachment: Corrected filing receipt (indicating 11/13/00 filing date)